

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

FILED

APR 29 2016

CLERK, US DISTRICT COURT
NORFOLK, VA

CHRISTOPHER LEE CORE, #23782-057,

Petitioner,

v.

ACTION NO. 2:15cv373

ERIC D. WILSON,

Respondent.

FINAL ORDER

Petitioner, a federal inmate, filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. ECF No. 1. Petitioner is challenging his classification as a career offender and the sentence imposed by the United States District Court for the Middle District of North Carolina in light of *United States v. Simmons*, 649 F.3d 237 (4th Cir. 2011).

The petition was referred by standing order to a United States Magistrate Judge for report and recommendation pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Local Civil Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia. The Magistrate Judge's Report and Recommendation, filed March 25, 2016, recommends dismissal of the petition with prejudice. The Court has received no objections to the Report and Recommendation and the time for filing objections has expired.

The Court does hereby accept the findings and recommendations set forth in the Report and Recommendation, and it is therefore ORDERED that the petition be DENIED and DISMISSED with prejudice for lack of jurisdiction. It is further ORDERED that judgment be entered in favor of respondent.

Petitioner may appeal from the judgment entered pursuant to this Final Order by filing a written notice of appeal with the Clerk of this Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within sixty days from the date of entry of such judgment.

The Clerk shall mail a copy of this Final Order to petitioner and to counsel of record for respondent.

/s/
Mark S. Davis

United States District Judge

Mark S. Davis
UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
April 29, 2016